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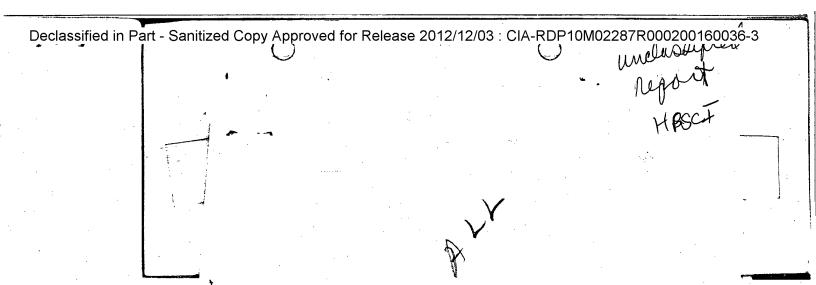
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1	TITLE VI—STUDY OF INTELLIGENCE
2	PERSONNEL SYSTEMS
3	COMMISSION ON INTELLIGENCE PERSONNEL SYSTEMS
4	SEC. 601. (a) ESTABLISHMENT; PURPOSE.—There is
, 5	hereby established a commission to be known as the Commis-
6	sion on Intelligence Personnel Systems. The Commission
7	shall conduct a comprehensive review and comparative anal-
8	ysis of all personnel management and compensation systems
9	affecting civilian personnel of agencies and other entities of
10	the intelligence community with a view to determining the
11	adequacy of existing personnel systems and any changes that
12	should be made in such systems.
13	(b) Members.—(1) The Commission shall consist of
14	three members. The President, the Speaker of the House of
15	Representatives (after consultation with the minority leader
16	of the House), and the majority leader of the Senate (after
17	consultation with the minority leader of the Senate) shall
18	each appoint one member. The member appointed by the
19	President shall be the chairman of the Commission.
20	(2) Members of the Commission shall be appointed from
21	among persons outside the Government who by reason of
22	training, background, education, and experience in intelli-
23	gence matters and personnel systems are highly qualified to
24	study the matters described in subsection (a).

1	(3) Members of the Commission shall be paid at the
2	daily equivalent of the rate of basic pay payable for level IV
3	of the Executive Schedule for each day (including traveltime)
4	that they are engaged in the business of the Commission.
5	(4) A member of the Commission shall not be considered
6	to be a Federal employee except for purposes of—
7	(A) chapter 81 of title 5, United States Code, re-
8	lating to compensation for work-related injuries; and
9	(B) chapter 171 of title 28, United States Code,
0	relating to tort claims.
1	(c) Staff.—(1) The Commission may (without regard
2	to section 5311(b) of title 5, United States Code) appoint an
3	executive director, who shall be paid at a rate not to exceed
4	the rate of basic pay payable for level IV of the Executive
5	Schedule.
6	(2) The Commission may appoint such additional staff as
7	it considers appropriate. Such personnel shall be paid at a
8	rate not to exceed the rate of basic pay payable for grade
9	GS-18 of the General Schedule under section 5332 of title 5,
90	United States Code.
21	(3) The executive director and staff of the Commission
22	may be appointed without regard to the provisions of title 5,
23	United States Code, governing appointments in the executive
24	branch and may be paid without regard to the provisions of

- 1 chapter 51 and subchapter III of chapter 53 of such title
- 2 relating to classification and General Schedule pay rates.
- 3 (4) The Commission may procure temporary and inter-
- 4 mittent services under section 3109(b) of title 5, United
- 5 States Code.
- 6 (d) Support.—Upon request of the Commission, the
- 7 Director of Central Intelligence, the Director of the Intelli-
- 8 gence Community Staff, and the heads of the elements of the
- 9 intelligence community may detail personnel under their ju-
- 10 risdiction to the Commission to assist the Commission in car-
- 11 rying out its duties under this section and may provide to the
- 12 Commission such administrative support services as the
- 13 Commission may require.
- 14 (e) Funding.—Of the amount available to the Intelli-
- 15 gence Community Staff for fiscal year 1988 under section
- 16 201, \$500,000 shall be available for the Commission.
- 17 (f) REPORT.—Not later than nine months after the date
- 18 of the enactment of this Act, the Commission shall submit to
- 19 the President and to Congress a report setting forth its find-
- 20 ings and conclusions and such recommendation (including
- 21 recommendations for legislation) as the Commission considers
- 22 appropriate.



TITLE VI-STUDY OF INTELLIGENCE PERSONNEL SYSTEMS

Section 601 of the bill would create a Commission on Intelligence Personnel Systems. The Commission will be charged with reviewing, across the board, personnel recruitment, retention. management, and compensation programs of the U.S. intelligence community. The Commission is to review these personnel systems. compare them with those available to the great bulk of the Federal Civil Service and make recommendations to the Congress on the future development, restructuring or adjustment of those personnel systems affecting intelligence personnel.

The committee feels such a Commission is necessary for several reasons. Over the past nine years, the Congress, principally the intelligence committees, has been asked repeatedly to make adjustments in management and personnel programs for certain intelligence agencies. The justification for the requested changes has often been that intelligence personnel serve under circumstances so dissimilar to those of most civil servants that differences in compensation or management are required. The Congress has been sympathetic to many, but not all, such requests. Often it has asked how other intelligence personnel in similar circumstances would be treated and has sought to ensure equality of treatment for those serving under similar circumstances. Just as often, the executive branch had undertaken no similar effort.

The committee has come to realize that this annual adjustment of personnel and management programs remains unfocused beyond the interests of individual agencies. It recognizes significant differences in the legal authorities of different elements within the intelligence community. The committee believes that requests for piecemeal adjustments are likely to continue. It anticipates that the Central Intelligence Agency may propose sweeping changes in its personnel and management approach that, whatever their merits, would have the effect of further emphasizing the differences in these areas among various intelligence agencies and particularly between CIA and the Federal Civil Service. The committee wishes to forestall consideration of the restructuring of CIA's personnel system until it is better informed about how such changes will affect agencies besides CIA.

The committee has structured the make-up of the Commission to ensure that it is non-partisan, experienced in personnel and management matters, and brings the perspective of private citizens to the complex but important issues the Commission must weigh. The committee does not intend to exclude former government officials

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from serving on the Commission, but instead feels that experience in government managerial positions would serve members of the Commission well in the pursuit of their review.

The committee has recommended the authorization of \$500,000 for the Commission's operations during fiscal year 1987, to be drawn from funds authorized to be appropriated for the Intelligence Community Staff. In addition, Section 601(d) provides that all heads of elements of the intelligence community may assist the Commission in the conduct of its review by detailing personnel and other support. The committee believes that such support will be in the interest of all intelligence elements, since the intelligence community will benefit from the first comprehensive report and recommendations on the personnel and management systems under which their employees must perform their duties:

The committee urges appropriate intelligence officials to assist the Commission in its work, particularly including the granting of appropriate clearances and access to relevant records and officials. The committee also urges the President, the Speaker of the House and the Majority Leader of the Senate to expeditiously appoint the Members of the Commission so that they can devote the necessary time to the completion of their report and recommendations.



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	SPEREI	
	MEMORANDUM FOR: Comptroller	25X1
	DA/Management Staff DD for Policy, Analysis and Evaluation, OP	
	FROM:	25X1
	SUBJECT: Agreed Upon Changes To HR 2112 and Classified Annex	
	l. I have talked with all of you about the draft languages to the referenced subject. We have reached agreement to the referenced subject. We have reached agreement what we want changed. Those changes are listed below. We not agreed to the exact language. I am attaching a revise version of what I gave each of you on Thursday. Version of what I gave each of you on Thursday. Version of this language. I am also providing a copy of a representation of the DCI which addresses this same issue.	have d and I 25X1
	2 Here's what all agreee to for Section 601:	
·	We agree to a study. But the Presidential Comm should be downgraded to a less prestigous group, like a consulting organization such as NAPA.	ission
	The time for the study should be reduced from 9 months to 3 months.	
	That the study should be classified.	
	3. For the classified index we want language which we preclude the Agency from making changes to its existing personnel management system, like changes to the Secreta personnel management system, like changes to the Secreta personnel management system, like changes to the Secreta personnel, in the Commo banding process. We do agree to provisions in the classified annex regarding implementat a large scale change as envisioned by the new Personnel, and Management Compensation system.	rial the ion of
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	CC: D/Compt. D/OCA A/DDA DDA D/OP	

CIA Modifications to section 601, Title VI, "Study of Intelligence Personnel Systems 2112 and Classified Annex

Frist, we do not view any study of Community Intelligence Personnel systems as a necessary precusor to changes in CIA's Personnel management sytems. Our special requirements and needs mandate that we continue to improve our personnel management system to ensure our continuing ability to attract and retain the best possible calibre of employees so that we maintain our ability to meet the intelligence imparatives of the future.

CIA has briefed several community agencies (NSA and DIA in particular), and these agencies support the CIA initiative and see the CIA effort as being in the mainstream of personnel changes they themselves have made or are making.

As to the rest of the federal service, we note that several similar systems are already in progress which are supported by the Office of Personnel Management. Moreover, several bills have been recently introduced which, like the CIA proposed Personnel, Pay, Management and Compensation system, propose major agency wide projects to reform and improve the GS system. Delaying our experimentation while the rest of govenment proceeds to develop new personnel management approaches will not facilitate the development of systems which are particularly relevant to the needs of CIA or other community agencies. We also note that the Deputy Director of the Office of Personnel and Management has been fully briefed on the CIA proposed system and supports this initiative. Indeed, he has offered to testify to the oversight committees on our behalf.

If the conference committee contiunes to hold that a study is required, we believe strongly that a Commission of the calibre of membership suggested is not mandated. A study can be more efficiently and effectively conducted by an objective and qualified consultant with support for the intelligence community agencies.

Most important we hold that any study must be classifed to ensure that all relevant data is made available and known in any final report.

The time allocated to the study is clearly excessive and detrimental to CIA's effort to make changes in some areas of our personnel management sytem on a timely basis. We have devoted careful and considered study of our personnel mangement system and have widespread acceptance and enthusiam among many of our employees and managers to begin some implementation at the beginning of CY 1988. We would also offer that the costs of \$.5M would be significantly reduced if less time were devoted to any study.

25X1

The Honorable David Boren Chairman Select Committee on Intelligence United States Senate Washington, DC 20510

Dear Mr. Chairman:

I write to provide you the views of the Director of Central Intelligence on the Senate and House versions of the "Intelligence Authorization Act for Fiscal Year 1988," S. 1243 and H.R. 2112, respectively.

There are a number of provisions in both bills which were contained in the Administration's draft version of this legislation as transmitted to the Congress and referred to both intelligence committees. We strongly support these provisions. They include the provision in Section 501 of both bills to increase the allowance available for the purchase of uniforms by certain Defense Intelligence Agency (DIA) personnel stationed overseas. Also included in this group are Sections 502 and 503 which extend the certain special termination authorities granted to the Secretary of Defense with respect to Department of Defense (DoD) intelligence personnel.

Section 504 of the Senate bill, also stemming from a provision in the Administration bill, would extend to DIA the nondisclosure authorities enjoyed by other entities in the Intelligence Communities. The House bill does not contain a similar provision. We believe this provision is an important complement to DIA's statutory authorities and thus commend it to the conferees.

Although not included in the Administration's bill, both the Agency and the Community strongly support Section 102 (b) of the House bill excluding DIA personnel from the otherwise automatic reductions-in-force provisions. We appreciate the House's efforts in this area and commend the provision to the conferees.

Section 601 of the House bill would create a Presidential "Commission on Intelligence Personnel Systems" to review Intelligence Community personnel systems and make legislative recommendations. From the standpoint of both the Agency and the Community, we believe the creation of such a commission is unnecessary and thus cannot support Section 601.

Just last year, Section 507 of the Fiscal Year 1987 Intelligence Authorization Act mandated that the Secretary of Defense and the Director of Central Intelligence (DCI) submit to the Congress a report on intelligence personnel systems. The focus of that report (transmitted to the Congress on 13 February 1987) was essentially identical to the scope of activity proposed for the commission. We believe that this report, plus the committees' extensive knowledge of this subject gained through several years of oversight, would be sufficient to provide a basis for whatever legislative action is deemed necessary. The work of the commission, following so hard on the heels of the DCI's report, would be unnecessarily duplicative.

With respect to concerns about the Agency's Human Resource Modernization and Compensation Task Force which may underlie this proposal, I note that the work of the Task Force is not even near completion. While its charge is a broad one, it is not clear at this point what sort of recommendations will come out of its work. The Agency believes the work of the Task Force should go forward. We will continue our efforts to keep the committees fully informed of its work. Further, we will work with the committees to ensure that any legislative changes which are recommended by the Task Force and adopted by the Agency are addressed appropriately from a Community standpoint.

Turning now to concerns about the Community which may have led to this proposal, there are admittedly differences among the various Community personnel systems. It is almost a truism, however, to say that these stem from the fact that the Community is composed of different (in some cases, vastly different) agencies. These differences have existed for some time now and are likely to continue, so long as we approach intelligence from a Community perspective. Neither the existence of these differences nor the fact that from time to time minor changes to existing personnel systems are necessary, compel the conclusion that a study commission is required.

We note that the efforts of the Task Force are similar to those currently being conducted by the National Bureau of Standards and at the China Lake naval facility. They are also similar to various legislative proposals currently before the Congress.